



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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October 24, 2000



In Reply Refer To:
1790(P)
CA930

EMS TRANSMISSION: 10/24/00
Instruction Memorandum No. CA-2001-010
Expires: 09/30/02

To: ACO's

From: State Director

Subject: Policy for Preparing and Approving Environmental Documents

This policy is for preparation and approval of National Environmental Protection Act (NEPA) documents involving public lands in California. This policy is intended to place responsibility for NEPA compliance with the Field Manager (FM). In practice, responsibility has often been shared among State, District, and Field Offices (FO's). However, this sharing of responsibility has not proven to be most effective and has contributed to oversights in some fundamental aspects of the NEPA process. Placing responsibility clearly with the Field Manager should help minimize uncertainty over roles and achieve better results.

We recognize that workforce limitations in FO's will require continued support and assistance from the California Desert District (CDD) and the California State Office (CASO); however, this policy is intended to shift the roles of district and state offices from providing basic staff input in NEPA documents to more strategic planning roles.

The following procedures shall guide preparation and approval of California NEPA documents:

1. Field Managers shall have the responsibility for preparing and signing most environmental impact statements (EIS's) and records of decision (ROD's). Exceptions will be determined by the State Director in accordance with California's delegation of authority manual (1793). FM's will be expected to provide quality assurance and review of these documents prior to approval. Specifically, FM's must ensure that EIS's and ROD's being signed by the FM receive the same quality of review and attention as for documents being signed by the State Director.
2. Field Managers shall advise the State Director of key points in the NEPA process for EIS's as well as for certain EA's (see #4, below). These points include issuance of Notice of Intent, approval of Draft EIS or EA, approval of Final EIS, and signing of decision document. FM's should be prepared to brief the State Director at any of these points. Briefing schedules should be coordinated with the State NEPA Coordinator.

3. Responsibility for specific NEPA documents in CDD may be delegated to the DM rather than FM.
4. EA's will be the responsibility of FM's. However, FM's must notify the State Director prior to the relevant key points listed in #2 above and be prepared to brief the State Director if the EA meets any of the following criteria:
 - The FM or DM believes the anticipated level of controversy warrants State Director review;
 - An Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA) is required;
 - The action normally requires an EIS (Appendix 1, BLM NEPA Handbook), but the FM or DM believes an EA is appropriate;
 - Processing methods using cyanide are proposed in a mining plan of operations;
 - The proposed action is not in conformance with the existing land use plan and a plan amendment is required;
 - An appeal is anticipated to be filed with IBLA or the matter relates to pending litigation (such as the Center for Biological Diversity lawsuit over ESA compliance).
5. We request nominations for a FM and several resource specialists to review existing NEPA compliance procedures and develop recommendations for improving quality of documents. This statewide review will be undertaken in 2001. The focus of this review will be on quality assurance, especially for major NEPA documents; however, topics will also include workforce capabilities, training needs, and guidance for planning and NEPA compliance.
6. Our intent is to provide NEPA compliance training to field offices as needs and circumstances require. The CASO will work closely with field offices to accommodate specific needs.

Any questions regarding this Instruction Memorandum may be directed to Jack Mills at 916-978-4636.

Signed by:
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State Director

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cc: WO-210